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DEPARTMENT OF MOTOR VEHICLES
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June 30, 2009

Pamela Posehn, Director
Department of Child Support Services
Solano County Office
435 Executive Court
North Fairfield, CA 94534

Audit File: C-90-9098

Dear Ms. Posehn:

The Department of Motor Vehicles' (DMV) Audits Office has concluded the audit of the Department of Child Support Services Solano County Office (DCSS Solano). We based our review on the requirements stipulated in the Memorandum of Understanding (MOU) DMV via Health and Human Services Agency Data Center (HHSDC) applicable statutes and regulations stated in the California Vehicle Code and the California Code of Regulations. We conducted an on-site audit at the Executive Court location on May 11, 2009.

This audit covered the period March 1, 2008 through March 30, 2009. The audit was performed in accordance with the Standards set forth in the General Accounting Office's *Generally Accepted Government Auditing Standards*. The objectives of the audit were to determine if DCSS Solano:

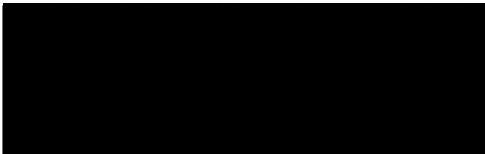
- Internal controls are adequate to safeguard information obtained from DMV;
 - Complies with the provisions of the MOU HHSDC dated February 21, 2003;
 - Adheres to applicable rules and regulations governing the processing, storage, and transmission of DMV information.
- We noted two areas for improvement as detailed in the *Findings and Recommendations* section of the attached report; however, they can be summarized as follows:
1. There is no regular review of the audit log to identify unauthorized or unusual activity
 2. Employees with access to DMV information were not required to complete Security Statements annually

Please note that the report includes excerpts of the DCSS Solano response to our findings, as well as our evaluation. We have included your response in its entirety as Exhibit 1 at the end of the report.

DMV Information Services Branch (ISB), who has jurisdiction over government requester accounts, and the California State Department of Child Support Services will receive copies of the attached report.

We thank DCSS Solano and their staff for the cooperation and courtesy extended to our auditor during this review. If you have any questions about this audit, please contact Grace Rule-Ali at (916) 657-5828.

Sincerely,



GRACE M. RULE-ALI, Manager
Information Systems-Requester Audit Section
(916) 657- 5828

Attachment

cc: Joan Obert, Director, State DCSS
Jeanne Benuzzi, DMV Acting Chief, ISB
Tam Le, DMV Manager, ISB Policy & Information Privacy Section

**CALIFORNIA DEPARTMENT OF MOTOR VEHICLES
EXECUTIVE AUDITS
DEPARTMENT OF CHILD SUPPORT SERVICES
SOLANO OFFICE
AUDIT REPORT
C-90-9098**

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EXECUTIVE SUMMARY

The California Department of Motor Vehicles (DMV) Information Services Branch (ISB) operates an information requester program that allows external entities to access DMV records pursuant to applicable statutes of the California Vehicle Code (CVC) and California Code of Regulations Title 13, Article 5 except as prohibited by CVC Section 1808.21. As an authorized DMV Government Requester Account holder the Department of Child Support Services Solano County (DCSS Solano) has access to basic record and address information on California Driver License and Vehicle Registration. In accordance with its DMV Government Requester Account agreement, DCSS is allowed to make California DMV inquiries for its business needs.

The CVC mandates that DMV protect the privacy rights of the public by releasing only certain information authorized by statutes. Statutes and regulations allow for businesses and individuals to access DMV records containing both confidential and non-confidential information, contingent upon approval of an application and compliance with the program requirements. DMV is dedicated in its mission of securing personal information for consumer protection. To meet our obligation of protecting the public and DMV information, we reviewed DCSS' compliance with the DMV Government Requester Account stipulations, and applicable California laws and regulations.

Our evaluation found that DCSS Solano is a member of the Computer Assisted Support Enforcement Systems (CASES) Consortium. The CASES Consortium consists of 54 DCSS county member agencies authorized since July 2002 for on-line access to DMV records. While the California DCSS oversees the county member agencies in this process, CASES Consortium will be disbanded effective June 30, 2009. This will require county agencies, who wish to do so, obtain a new method for on-line access, or rely on the existing overnight batch processing to receive DMV information.

Our evaluation found that the current security controls in effect at DCSS Solano as of May 11, 2009, are sufficient to meet the security objectives of this audit. However, we noted two areas for improvement as detailed in the *Findings and Recommendations* section of the attached report; however, they can be summarized as follows, employees with access to DMV information were not required to complete Security Statements annually and there is no regular review of the audit log to identify unauthorized or unusual activity.

BACKGROUND

DMV is responsible for administering statewide programs that use and rely on information assets whether they are electronically stored or hard copy documents. DMV conducts audits and evaluations of entities accessing the information of the Department for compliance purposes.

In June 2002 statutory changes reshaped the California child support program. The local county child support agencies (LCSA) were no longer considered law enforcement agencies and had to change the access methods to obtain data from DMV.

Formerly, LCSA requested access to DMV's databases via CLETS. Effective July 1, 2002, due to the June statutory changes, DMV granted approval for CASES Consortium electronic access to data from its files via the existing Health and Human Services Data Center. The Consortium consisted of 54 LCSA. DMV's approval was granted with the condition that the appropriate access, logging and auditing controls are in place. The requester codes have the following access to DMV information:

- Driver license – to locate individuals in the effort to establish and enforce child support obligations.
- Vehicle registration – to locate individuals in the effort to establish and enforce child support obligations.

DCSS county agencies use their requester codes to access California Driver License and Vehicle information to locate absent parents in order to secure child support for the child. The DCSS Solano County has on-line access as a member of the CASES Consortium.

OBJECTIVES, SCOPE, AND METHODOLOGY

The objectives of the review were to determine if DCSS Solano:

- Internal controls are adequate to safeguard information obtained from DMV,
- Complies with the provisions of the MOU, and
- Adheres to applicable rules and regulations governing the processing, storage, and transmission of DMV information

The audit was performed in accordance with *Government Auditing Standards*, Generally Accepted Auditing Standards, the California Department of Motor Vehicles' Government Requester Account Requirements and applicable California laws and regulations.

Our evaluation methodology included such tests as considered necessary to meet our objectives. Interviews were conducted with DCSS management, physical observation of the DCSS Solano facility made to determine the levels of security, and confidentiality over DMV information.

We conducted the audit fieldwork at the DCSS Solano in Fairfield, California in May 2009. Our audit included an examination of the administrative security procedures, and the monitoring of programs that are in place to protect DMV information.

FINDINGS AND RECOMMENDATIONS

FINDING #1- NO AUDIT LOG MONITORING

Condition: During an interview with an employee who demonstrated how information requests were made and how the information was used; the auditor was informed that DCSS Solano does not review the audit log (log) or employ other methods to detect inappropriate or unusual activity of employees that are authorized to make requests.

As an approved on-line requester to DMV information, DCCS Solano is required to maintain record access information (log). The required audit log records individual inquiry transactions of DMV information made by DCSS Solano and serves as a basis to identify potential inappropriate and/or unauthorized access. DCSS Solano is required to notify DMV if there is any suspicious or questionable access or disclosure of DMV information.

Criteria: The Memorandum of Understanding - DMV via HHSDC #9 states, in part, "DCSS shall take prompt action to notify the Information Services Branch Customer Account Agreement Administration Section Manager regarding any indication or known, suspected and/or questionable misuse or unauthorized access or disclosure of DMV information..."

In addition, the Government Requester Account Application, under General Security Requirements, C.2 section states in part, "Requester shall ensure compliance with all security provisions of this Agreement. If fraud or abuse is suspected or confirmed, Requester shall notify the Department..."

Recommendation: DCCS Solano should regularly review system audit records for indications of inappropriate or unusual activity. Immediately report any suspicious or questionable activity to DMV, and where warranted, take corrective action to prohibit repeat occurrences.

DCSS Solano Response: "DCSS Solano will put procedures in place to review the DMV audit log on a regular basis... On a monthly basis, the DMV audit log will be randomly sampled ..."

Department Response: We concur with DCSS Solano's corrective action plan.

FINDING #2- EMPLOYEE SECURITY STATEMENT, INF 1128, REQUIREMENTS NOT FOLLOWED

Condition: DCSS Solano did not require employees, with direct or incidental access to DMV records, sign an Employee Security Statement, INF 1128 (Security Statement) annually.

During the audit, we confirmed that employees with access to DMV records were not required to complete Security Statements on an annual basis.

Criteria: The Memorandum of Understanding - DMV via HHSDC #7 states, in part, "DCSS agrees to establish security procedures to protect DMV records and access information, as required by California Vehicle Code Section 1808.47. DCSS shall ensure that each DCSS and Requester employee having direct or incidental access to DMV records has signed an individual security statement. That statement shall contain at a minimum, the same provisions contained within the DMV's Employee Security Statement, Form INF 1128...The forms shall be maintained on file and made available to DMV upon request."

In addition, the Government Requester Account Application, under General Security Requirements C.3 (a) section states in part, "Requester shall require every employee and the system administrator having direct or incidental access to Department records to sign a copy of the Information Security Statement (INF 1128). The INF 1128 is required upon initial authorization for access to Department records and annually thereafter. The Requester's signed statement(s) shall be maintained on file at Requester's worksite for at least two years following the deactivation or termination of the authorization and shall be available to Department upon demand."


Recommendation: DCCS Solano should establish procedures requiring all employees with access to DMV information sign an Information Security Statement, INF 1128, annually. It is suggested that DCSS designate a specific date each year for employees to recertify the INF 1128, and maintain them on file for the two-year requirement.

DCSS Solano Response: "DCSS Solano will put procedures in place to ensure staff sign the recertification statement on an annual basis..."

Department Response: We concur with DCSS Solano's corrective action plan.

CONCLUSION

DCSS Solano operates a system and program that permits its employees access to DMV information, and provides assurance that access to the information is appropriately controlled and monitored in accordance with the requirements of its Government Requester Account. We noted that there was no monitoring of audits logs and Employee Security Statement requirements were not followed. However, taken as a whole, the mechanisms and controls in place to protect information received from DMV are sufficient and functioning properly to fulfill the program objectives. Therefore, implementing the report's recommendations should result in improvement of information security awareness for DCSS employees who have access to DMV information, and improve the likelihood of detecting potential misuse and/or unauthorized access. Because of inherent limitations in control systems, errors or irregularities may occur and not be detected. Consequently, projection of any evaluation of systems to future periods is subject to risk since procedures may become inadequate because of changes, or the degree of compliance with procedures may deteriorate.



GRACE M. RULE-ALI, MANAGER

Information Systems-Requester Audit Section

Audits Office

(916) 657-5828

May 20, 2009

Review Team:

Carolyn Manuel, Auditor In-Charge, Auditor

Benedicta Ikhalo, Auditor

Andrew Lau, Auditor

EXHIBIT 1

PAMELA K. POSEHN
DIRECTOR



IMPROVING THE LIVES OF THE
CHILDREN WE SERVE

SOLANO COUNTY DEPARTMENT OF CHILD SUPPORT SERVICES

June 5, 2009

Andrew Lau, Auditor
Department of Motor Vehicles, Audits Office
2570 24th Street, MS H121
Sacramento, California 95818

RE: Solano DCSS and DMV Audit Findings

Dear Andrew Lau:

Solano DCSS has reviewed the DMV Audit Findings email report dated June 4, 2009. You requested a written corrective response to the findings and below are our comments:

Finding 1: Solano failed to review the DMV audit log regularly for inappropriate or unusual activity, according to the DMV guidelines.

Cause: Solano DCSS did not have procedures in place to audit the DMV log.

Solution: Put procedures in place to review the DMV audit log on a regular basis.

- a. By June 16, 2009, write and execute the procedures to review the DMV audit log.
- b. On a monthly basis, the DMV audit log will be randomly sampled to determine if users are following DMV guidelines.
- c. The DMV audit log improvement plan was implemented June 5, 2009, and is still in progress. The initial plan is to have all users manually track their searches on DMV. The users will manually list the name of the person they are searching and the date the search was attempted. On a monthly basis, the lists will be consolidated and retained for future audits.

Finding 2: Solano failed to have the employees having direct or incidental access to DMV records sign an Employee Security Statement INF1128 for the years 2007 and 2008; and retain copies for a minimum of two years after user access de-activation or employee termination.

Cause: Solano DCSS did not have procedures in place to have the staff sign the security statements on an annual basis.

Solution: Put procedures in place to ensure staff sign the recertification statement on an annual basis.

- a. By June 16, 2009, write and execute the procedures to have staff sign the statements on an annual basis.
- b. The DMV signature and retention improvement plan was implemented on June 16, 2009. On an annual basis, the trainer will gather the recertification signatures necessary for the DMV security.

If you have questions concerning the corrective action plan, please contact Theresa Rhoads at 707-784-3609 or trhoads@solanocounty.com.



Pamela Posehn, Director

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Solano County Child Support Services Website: www.solanocounty.com/dcsc